

1743

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: MURDO BLACK ET AL.

Filed: MARCH 25, 2002

For: TEST DEVICE

Serial No.: 10/089,048

Group Art Unit: 1743

Examiner: UNKNOWN

Atty Docket No.: DUMM:009US

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Pursuant to 37 C.F.R. 1.8, I certify that this correspondence is being deposited with the U.S. Postal Service in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313 on the date below:

Date

Name

1/10/03

SUBMITTAL OF STATEMENT CLAIMING SMALL ENTITY STATUS

Commissioner For Patents
P. O. Box 1450
Alexandria, VA 22313

Dear Sir:

Transmitted herewith for filing are:

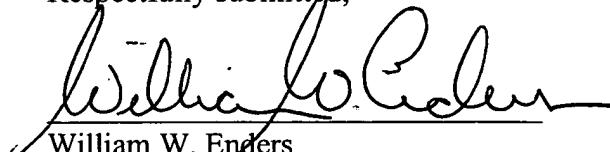
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- New Patent Application consisting of ____ pages
- Continued Prosecution Application (37 CFR §1.53(d)) -- The parent application is USSN ____ filed on _____. The prior Examiner was ____ in Group Art Unit ____.
- Notice to File Missing Parts - Part 2 copy (1 pg)
- Assignment and Recordation Cover sheet (____ pgs)
- Inventor's Declaration (____ pgs)
- Information Disclosure Statement
- Petition for a ____ month extension of time

- Response to Office Action
- Preliminary Amendment
- Formal Drawings (Figs , sheets)
- Informal Drawings
- Notice of Appeal
- An Appeal Brief (an original and two copies)
- Check in the amount of
- The Commissioner is authorized to deduct any requisite fees under 37 CFR 1.16 to 1.21 from, or deposit any credits to, Deposit Account No. 10-1205/Dumm:009US, including any concurrent or future required extension of time fees.
- In accordance with 37 CFR 1.136(a)(3), the Commissioner is authorized to treat any concurrent or future reply that requires a petition for an extension of time under 37 CFR 1.136(a) to be timely, as incorporating a petition for extension of time for the appropriate length of time, and the Commissioner is authorized to deduct any requisite extension of time fees under 37 CFR 1.16 to 1.21 from Deposit Account No. 10-1205.
- Postcard. Please date stamp and mail this postcard to acknowledge receipt of the enclosed documents.
- Other: Statement Claiming Small Entity Status

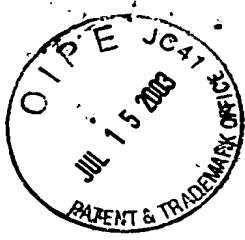
The Examiner is invited to contact the undersigned at 512-347-1611 with any questions or comments, or to otherwise facilitate expeditious prosecution of the application.

Respectfully submitted,



William W. Enders
Registration No. 41,735
Attorney for Applicant

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STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.27(a)(2) & 1.27(c)) – SMALL BUSINESS CONCERN

DOCKET NO.
DUMM:009US

Applicant or Patentee: MURDO BLACK ET AL.

Application No.: 10/089,048

Title: TEST DEVICE

I hereby declare that I am:

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN:
ADDRESS OF SMALL BUSINESS CONCERN:

Hypoguard Limited
Dock Lane
Melton
Woodbridge, Suffolk IP12 1PE
United Kingdom

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.1.27(a)(2) and 13 CFR 121.802 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, then I also hereby declare that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

Each such person, concern or organization having any rights in the invention is listed below:

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no such person, concern or organization exists.
 each such person, concern or organization is listed below:

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2)).

Malcolm Anthony Lunnell

NAME OF PERSON SIGNING:

MANAGING DIRECTOR, HJD
HYPOGLYCA

TITLE OF PERSON IF OTHER THAN OWNER:

ADDRESS OF PERSON SIGNING: Dock Lane, Weston, WO. BRIDGE, 1912 IP2

SIGNATURE: MAL

DATE: 26-6-03